

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

DARRYL ROCK,)
)
)
Plaintiff,) Civil Action No.: 1:12-cv-1837
) (FJS)(RFT)
v.)
)
CAVALRY PORTFOLIO SERVICES, LLC, HSBC) **STIPULATION OF**
CARD SERVICES, INC., MIDLAND FUNDING,) **DISCONTINUANCE WITH**
LLC, MIDLAND FUNDING OF DELAWARE, and) **PREJUDICE**
MIDLAND FUNDING NCC-2 CORPORATION,)
)
Defendants.)

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned, the attorneys of record in the above-entitled action, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, that the action pending against defendants, MIDLAND FUNDING, LLC, MIDLAND FUNDING OF DELAWARE, and MIDLAND FUNDING NCC-2 CORPORATION, is hereby discontinued on the merits and with prejudice without costs to any party as against the other.

This Stipulation may be signed in several counterparts and exchanged via facsimile, each of which shall have the same force and effect of an original but all of which together shall constitute one and the same Stipulation. This Stipulation may be filed without further notice with the Clerk of the Court.

Dated: New York, New York
 February 14, 2013

RICHARD DIMAGGIO, ESQ.

/s/ Richard DiMaggio

By: Richard DiMaggio, Esq.
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/s/ Thomas A. Leghorn

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